IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

OLLEN COLBERT,

Plaintiff(s)

Case Number: 1:00cv909-SJD-TSH

VS.

District Judge Susan J. Dlott

CINERGY CORP., et al,

Defendant(s)

JUDGMENT IN A CIVIL CASE

Decision by Court: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

. . . that Defendant, Cinergy/Cincinnati Gas & Electric Company's Motion for Summary Judgment (Doc. 91) be GRANTED in its entirety and Defendant Union's Motion for Summary Judgment (Doc. 94) be granted and this case dismissed from the docket of the Court.

7/25/05 JAMES BONINI, CLERK

> s/Stephen Snyder____ Deputy Clerk

Pursuant to S. D. Ohio Civ. R. 79.2(a) and (b), all models, diagrams, depositions, photographs, x-rays and other exhibits and materials filed or offered in evidence shall be withdrawn by counsel without further Order within six (6) months after final termination of the action. All materials not withdrawn shall be disposed of by the Clerk as waste.